

**DECLARATION FOR PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ARTIFICIAL CHROMOSOMES, USES THEREOF AND  
METHODS FOR PREPARING ARTIFICIAL  
CHROMOSOMES**

the specification of which (check one)

- is attached hereto.
- was filed by an authorized person on my behalf on April 10, 1996 as Application Serial No. 08/629,822.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate listed below and so identified, or §365(a) of any PCT international application that designated at least one country other than the United States of America, listed below, and I have also identified below any foreign application for patent or inventor's certificate or PCT international application on this invention filed by us or our legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	Priority Claimed (Yes or No)
N/A			

I hereby claim benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Application Serial No.  
N/A

Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.

N/A

Filing DateStatusPCT Application Serial No.

N/A

Filing DateStatus

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to Stephanie Seidman,  
BROWN, MARTIN, HALLER & McCLAIN, 1660 Union Street, San Diego,  
California 92101-2926:

AttorneyReg. No.

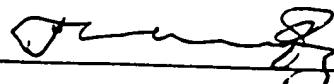
Stephanie Seidman	33,779
Carl Brown	18,587
Neil R. Martin	23,088
John L. Haller	27,795
James W. McClain	24,536
Paula K. Schoeneck	39,362

Address for correspondence: Stephanie Seidman  
BROWN, MARTIN, HALLER & McCLAIN  
1660 Union Street  
San Diego, CA 92101-2926

Full name joint inventor:

GYULA HADLACZKY

Inventor's signature:



Date:

April 26, 1996

Residence:

HUNGARY

Post Office Address:

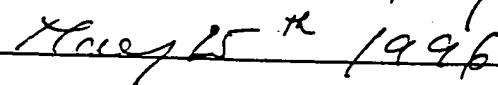
H. 6723, SZEGED  
SZAMOS U.1.A. IX. 36.  
HUNGARY  
HUNGARIAN

Citizenship:

Full name of joint inventor:

ALADAR A. SZALAY

Inventor's signature:



Date:

HIGHLAND, CALIFORNIA

Residence:

Post Office Address:

7327 FAIRWOOD

Citizenship:

HIGHLAND, CALIFORNIA 92346UNITED STATES OF AMERICA ANDCANADA

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HADLACZKY et al.

Serial No.: 09/096,648 Group Art Unit: 1632

Filed: June 12, 1998 Examiner: Not Yet Assigned

For: ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR  
PREPARING ARTIFICIAL CHROMOSOMES

## POWER OF ATTORNEY BY ASSIGNEE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Revoking any and all powers of attorney and authorizations of agent heretofore made in respect to this application, an Assignee of the above-captioned patent application hereby appoints the following as its attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

STEPHANIE SEIDMAN, Registration No. 33,779; PAULA K. SCHOENECK, Registration No. 39,362; and BARRY S. WILSON, Registration No. 39,431. Direct all telephonic inquiries to Stephanie Seidman at telephone no. (619) 450-8400.

Address all correspondence to:

Stephanie L. Seidman  
Heller Ehrman White & McAuliffe  
4250 Executive Square, 7th Floor  
La Jolla, California 92037-9103  
Telephone No. (619) 450-8400.

THE BIOLOGICAL RESEARCH CENTER OF THE  
HUNGARIAN ACADEMY OF SCIENCES

Date: 21.09.98

By: Kálmán  
Name: BÁRKO ISTVÁN MD, PhD  
Title: ASS.-GENERAL DIRECTOR



By: Vályi  
Name: Vályi László Ph.D.  
Title: Financial Director

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HADLACZKY et al.  
Serial No.: 09/096,648 Group Art Unit: 1632  
Filed: June 12, 1998 Examiner: Not Yet Assigned  
For: ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR  
PREPARING ARTIFICIAL CHROMOSOMES

## CERTIFICATE UNDER 37 C.F.R. §3.73(b)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

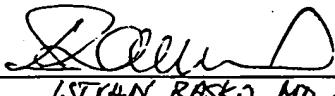
THE BIOLOGICAL RESEARCH CENTER OF THE HUNGARIAN ACADEMY OF SCIENCES, organized under the laws of Hungary with its principal place of business at H-6701 Szeged, P.O.B. 521, Hungary, is an assignee of the above-captioned patent application by virtue of an assignment in the parent application (Serial No. 08/629,822) from inventor Hadlaczky. The Assignment from this inventor was recorded in the U.S. Patent and Trademark Office at Reel 8308, Frame 0653.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

THE BIOLOGICAL RESEARCH CENTER OF THE  
HUNGARIAN ACADEMY OF SCIENCES

Date: 21.09.98

By:   
Name: ISTVÁN RASKÓ MD., PH.D.  
Title: ASS. GENERAL DIRECTOR

A S S I G N M E N T

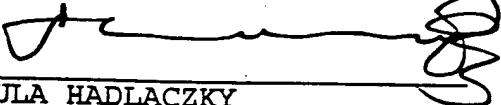
WHEREAS, I, GYULA HADLACZKY, of Hungary, for good and valuable consideration, have assigned and do hereby assign to THE BIOLOGICAL RESEARCH CENTER OF THE HUNGARIAN ACADEMY OF SCIENCES, organized under the laws of Hungary, with its principal place of business at H-6701 Szeged, P.O.B. 521, Hungary, its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter invented by me and disclosed in the application for Letters Patent of U.S. Serial No. 08/629,822 entitled **ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR PREPARING ARTIFICIAL CHROMOSOMES**

which was filed on April 10, 1996, and in and to all Letters Patent and all Convention and Treaty rights of all kinds, in all countries throughout the world, for all such subject matter.

I agree to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above assignee in accordance with this assignment.

Attorney Docket No. 6869-402

DATE: 14/11/96

  
GYULA HADLACZKY

WITNESSED:

DATE: 14.11.1996

KATONA Robert  
[SIGNATURE OF WITNESS]

KATONA ROBERT  
[PRINTED NAME OF WITNESS]

WITNESSED:

DATE: 14.11.1996.

IMRE Cserpan  
[SIGNATURE OF WITNESS]

IMRE CSERPÁN  
[PRINTED NAME OF WITNESS]

A S S I G N M E N T

WHEREAS, I, ALADAR SZALAY, a citizen of the United States of America and of Canada, residing at 7327 Fairwood, Highland, California 92346, U.S.A., for good and valuable consideration, have assigned and do hereby assign to AMERICAN GENE THERAPY, INC., organized under the laws of the Province of Alberta, Canada, located at 5022 154th Street, Edmonton, Canada T6H5P3 (hereinafter Assignee) its successors, assigns and legal representatives, any right, title and interest that I may possess in and to all subject matter invented by me and disclosed in the application for Letters Patent of the United States Serial No. 08/629,822 filed April 10, 1996 and entitled:

**ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR  
PREPARING ARTIFICIAL CHROMOSOMES**

and in and to all Convention and Treaty rights of all kinds, in all countries throughout the world, for all such subject matter, including the right to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise and, in and to, all Letters Patent to be obtained for said subject matter by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(b) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent.

I agree to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

03/25/97 TUE 20:41 FAX 619 238 0062

BMM

+++ CHROMOS

008

Attorney Docket No. 6869-402

DATE:

March 28/97

A. A. Szalay  
ALADAR SZALAY

WITNESSED:

DATE:

March 28/97

Eileen Utter  
[SIGNATURE OF WITNESS]

Eileen Utterson  
[PRINTED NAME OF WITNESS]

WITNESSED:

DATE:

March 28/97

Alastair Duncan  
[SIGNATURE OF WITNESS]

Alastair Duncan  
[PRINTED NAME OF WITNESS]

A S S I G N M E N T

WHEREAS, I, ALADAR SZALAY, a citizen of the United States of America and of Canada, residing at 7327 Fairwood, Highland, California 92346, U.S.A., for good and valuable consideration, have assigned and do hereby assign to LOMA LINDA UNIVERSITY, a non-profit organization organized under the laws of the State of California, located in Loma Linda, California 92350, U.S.A. (hereinafter Assignee) its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter invented by me and for which I am under an obligation to assign such right, title and interest to Assignee and which is disclosed in the application for Letters Patent of the United States Serial No. 08/629,822 filed April 10, 1996 and entitled:

**ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR  
PREPARING ARTIFICIAL CHROMOSOMES**

and in and to all Convention and Treaty rights of all kinds, in all countries throughout the world, for all such subject matter, including the right to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise and, in and to, all Letters Patent to be obtained for said subject matter by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(b) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent.

I agree to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

03/25/97 TUE 20:40 FAX 819 238 0082

BWFM

+++ CHROMOS

006

Attorney Docket No. 6869-402

DATE:

March 28/97

ALADAR SZALAY

A. L. Szalay

WITNESSED:

DATE:

March 28/97

Melvin Utter  
[SIGNATURE OF WITNESS]

GLEEN UTTERSON  
[PRINTED NAME OF WITNESS]

WITNESSED:

DATE:

Mar 28/97

Alvin Dunc  
[SIGNATURE OF WITNESS]

MICHAEL DUNCAN  
[PRINTED NAME OF WITNESS]

A S S I G N M E N T

American Gene Therapy, Inc., a corporation organized under the laws of the Province of Alberta, Canada, located at 5022 154th Street, Edmonton, Canada T6H5P3 (hereinafter Assignor), for good and valuable consideration, has assigned and does hereby assign to CHROMOS MOLECULAR SYSTEMS, INC., a corporation organized under the laws of the Province of British Columbia, Canada, with its principal place of business at 6660 NW Marine Drive, Vancouver, BC V6T 1Z4, Canada (hereinafter Assignee), its successors, assigns and legal representatives, any right, title and interest that it may possess in and to all subject matter disclosed in the application for Letters Patent of the United States filed on April 10, 1996 as Serial Number 08/629,822 and entitled:

**ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR  
PREPARING ARTIFICIAL CHROMOSOMES**

and in and to all Convention and Treaty rights of all kinds, in all countries throughout the world, for all such subject matter, including the right to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise and, in and to, all Letters Patent to be obtained for said subject matter by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(b) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent.

Assignor agrees to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

DATE: March 17/98

A. S. Szalay  
ALADAR SZALAY  
Director

WITNESSED:

DATE: 3-17-98

Levi Hawes  
[SIGNATURE OF WITNESS]

Levi Hawes  
[PRINTED NAME OF WITNESS]

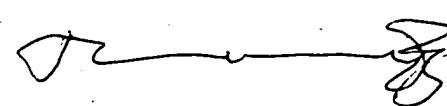
WITNESSED:

DATE: March 23, 1998

Gyorgy Bagi  
[SIGNATURE OF WITNESS]

GYORGY BAGI  
[PRINTED NAME OF WITNESS]

DATE: 15/02/98



GYULA HADLACZKY  
Director

WITNESSED:

DATE: 09/03/98



[SIGNATURE OF WITNESS]

MÓZSEK HÓLÉ GYÖNGYI  
[PRINTED NAME OF WITNESS]

WITNESSED:

DATE: 09.03.98.



[SIGNATURE OF WITNESS]

KERESZTÉR JUDIT  
[PRINTED NAME OF WITNESS]

A S S I G N M E N T

Loma Linda University, a non-profit organization organized under the laws of the State of California, located in Loma Linda, California 92350, U.S.A. (hereinafter Assignor), for good and valuable consideration, has assigned and does hereby assign to CHROMOS MOLECULAR SYSTEMS, INC., a corporation organized under the laws of the Province of British Columbia, Canada, with its principal place of business at 6660 NW Marine Drive, Vancouver, BC V6T 1Z4, Canada (hereinafter Assignee), its successors, assigns and legal representatives, all right, title and interest assigned to it by Aladar Szalay on March 28, 1997 in and to all subject matter disclosed in the application for Letters Patent of the United States filed on April 10, 1996 as Serial Number 08/629,822 and entitled:

**ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR  
PREPARING ARTIFICIAL CHROMOSOMES**

and in and to all Convention and Treaty rights of all kinds, in all countries throughout the world, for all such subject matter, including the right to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise and, in and to, all Letters Patent to be obtained for said subject matter by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(b) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent.

Assignor agrees to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

Loma Linda University

DATE: Nov 10 1998

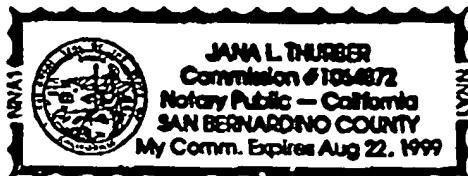
Donald G Pursey  
Signature

DONALD G PURSEY  
Printed Name

VICE PRESIDENT  
Title

STATE OF CALIFORNIA )  
)  
COUNTY OF SAN BERNARDINO SS.

On NOVEMBER 10, 1998 before me, the undersigned, a notary public for the State of California, personally appeared DONALD G. PURSEY, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed it.



Jana L Thurber  
Notary Public

9/29/98  
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